

GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Public Servants – Allegation of corruption against Sri T.Venkat Reddy, Deputy Register/OSD, District Co-operative Central Bank, Nizamabad District – Trapped on 13.10.2007 – Sanction of prosecution – Orders – Issued.

AGRICULTURE AND CO-OPERATION (VIGILANCE) DEPARTMENT

G.O.Ms.No. 96

Dated:17.03.2009

ORDER:

1 Whereas Sri T.Venkat Reddy worked as Dy.Registrar/OSD, District Co-operative Central Bank, Nizamabad District from 27.02.2006 to 13.10.2007 and by virtue of the post held by him, he falls under the category of public servant as defined under section 2 © of the Prevention of Corruption of Act, 1988 (Central Act of 49 of 1988).

2. And whereas Sri Bhukya Chandru S/o B.Balaya, Occ: Farmer, N/o Reddypeta Tanda, Machireddy (M), Nizamabad District along with J.Prabhakar Reddy (Purchaser of two acres of land from son-in-law of Bhykya Chandru) met Sri T.Venkat Reddy in the month of August, 2007 and asked him to address letters to the Tahsildar, Kamareddy, Mandal, RDO, Kamareddy and Sub-Register, Kamareddy for making relevant entries in their respective records along with copy of sale certificate issued in favour of Sri Nenawath Mojuram and Mlawath Dasami as the highest bidders in the public auction held on 09.09.2006 at Adloor Grampanchayat for 2.00 acres of land and acre 1.32 guntas of land respectively located in Sy.No.454 of Adloor Village, Kama Reddy Mandal, Nizamabad District through the public auction was not conducted on 09.09.2006. Sri T.Venkata Reddy replied that on several requests of Sri Malawath Amarsingh, he issued the final orders as if the said land in Sy.No.454 of Adloor village, Kamareddy Mandal, Nizamabad District was sold away in public auction. Further Sri T.Venkat Reddy informed him to approach the Co-operative Tribunal on the orders issued by him and if he goes in appeal, he will extend his help in all aspects and further if the Co-operative Tribunal asked for the remarks, he will send favourable report in his favour to get their land. For which Sri T.Venkat Reddy demanded to pay Rs.1,00,000/- as bribe. When Sri Bhukya Chandru expressed his inability to pay the demanded bribe amount saying that he was unnecessarily put in troubles, Sri T.Venkata Reddy requested him to meet him at a later stage. Again on 15.09.2006 when he met, Sri T.Venkata Reddy reiterated to pay the demanded bribe amount of Rs.1,00,000/- saying that if Sri Bhukya Chandru was unable to pay at a time in lump sum, he asked him to pay Rs.25,000/- as part payment and the remaining amount in two or three instalments.

3. And whereas Sri Bhukya Chandru was not willing to pay the demanded bribe amount of Rs.25,000/- as part payment out of the total demanded bribe amount of Rs.1,00,000/- to Sri T.Venkat Reddy, Dy.Registrar/OSD, District Co-operative Central Bank, Nizamabad District, he met the joint Director, Anti-Corruption Bureau, Central Investigation Unit, Hyderabad on 12.10.2007 and submitted a written complaint requesting to take necessary action against Sri T.Venkat Reddy Dy.Register/OSD, District Co-operative Central Bank, Nizamabad District. The Joint Director entrusted the said complaint to the Inspector of Police, CIU, ACB, Hyderabad for necessary action. After due verification, the Inspector of Police, Anti-Corruption Bureau, Central Investigation unit, Hyderabad registered the complaint of Sri Bhukya Chandru as Cr.No.20/ACB-CIU-Hyd/2007 u/s 7 of Prevention of Corruption Act 1988 on 13.10.2007 and investigated into.

4. And whereas on 13.10.2007 at 10.45 hours Sri T.Venkat Reddy, Dy.Registrar/OSD, District Co-operative Central Bank, Nizamabad District was caught red handed when he demanded and accepted the bribe amount of Rs.25,000/- from Sri Bhukya Chandru at his residence located at Bank Colony, Kaneswar, Nizamabad Town. The phenolphthalein test conducted on both hand fingers of Sri T.Venkat Reddy, Dy.Register yielded positive result. The tainted bribe amount of Rs.25,000/- was recovered from the possession of Sri T.Venkat Reddy which was held by him in his right hand. The tainted currency notes and the resultant solutions along with relevant records/documents available at the residential premises of Sri T.Venkat Reddy and in his office were seized.

5. And whereas one M.Amarsingh S/o Jemla R/o Kotalpally village, Sirikonda Mandal, Nizamabad District had obtained tractor loan from the Primary Agricultural Co-operative Society, Honnojipet in the month of January, 2002 by putting the lands held in his name to the extent of 2 acres and 1.32 guntas held in the name of his wife Smt M.Bharathi in Sy.No.454 of Adloor village, Kamareddy Mandal and others lands as surety. Subsequently by concealing the said fact, he sold away the land to Sri Bhukya Chandru vide registered document No.2896/04 of SRO Kamareddy. Sri Bhukya Chndru transferred the said land in favour of his son-in-law vide sale deed no.1590/2005 of SRO Kamareddy.

6. And whereas Sri M. Amarsingh became the defaulter of the tractor loan obtained by him from the Primary Agricultural Co-operative Society, Honnaojipet. Sri T.Bhuchanna, Secretary of the primary Agricultural Co-operative Society, Honnojipet, informed the same to Sri T.Venkata Reddy and requested him to initiate necessary action as per section 70 of the Co-operative Societies Act and corresponding Co-operative Society Rules. In due course of that, Sri T.,Venkata Reddy Dy.Registrar/OSD got its wide publicity through pamphlets containing full details about the conducting of public auction of lands in Sy.No.454 to the extent of 2 acres held in the name of Sri M.Amarsingh and acre 1.32 guntas of land held in the name of his wife Malawat Bharathi at Adloor village and other lands on 09.09.2006 at Adloor Village Grampnchayath of Kama Reddy Mandal, Nizamabad District.

7. And whereas Sri Bhukya Chandru and his son-in-law Sri M.Ravinder on learning about the conducting of public auction of the lands of the subject matter decided to retain the said lands due to hike in the cost of the land. They discussed with one Bhumpally Rajender S/o Balaiah N/o Rama Reddy Village. After discussion, it was decided to repay the tractor loan amount which was due by M.Amarsingh to the Honnojipet Primary Agricultural Co-operative Society with the financial assistance of Bhumpally Rajender. In view of that, Sri Bhukya Chandru and late Ravinder (Son-in-law of the Sri Bhukya Chandru) decided to transfer Ac 1.32 guntas of land in Sy.No.454 of Adloor village in favour of Bhumpally Rajender.

8. And whereas in due course of that Sri Bhumpally Rajender paid amount of Rs.20,000/- on 8.9.2006 i.e., one day in advance prior to public auction and got the public auction stopped. Later, part of the loan amount was repaid by him i.e., Rs.1,90,000/- on 26.09.2006 and Rs.1,66,500/- by one Mr.Thota lingam the subsequent purchaser of tractor from Mr M.Amrsingh. The said amounts were paid to the Honnojupet Primary Agricultural Co-operative Society in the name of M.Amarsingh (Loan defaulter) and obtained cash receipts bearing Noi.034774 and 034797 from T.Buchanna, Village Secretary of Honnojipet Primary agricultural Co-operative Society. Later, as per the understanding, late Ravinder (Son-in-law of the Sri Bhukya Chndru) transferred Ac. 1.32 guntas of land in Sy.No.454 in favour of Bhumpally Rajender vide document No.4490/2006 of SRO Kama Reddy and retained two acres of the land in the said survey number by late Ravinder (Son-in-law of Bhukya Chandru) and saved from public auction.

9. And whereas Sri M.Amarsingh with malicious intention to regain the entire acres 3.32 guntas of land Sy.No.454 of Adloor village, Kama Reddy Mandal of Nizamabad district took the help of Sri T.Vekat Reddy, Dy.Register/OSD Co-operative Central Bank, Nizambad with the assistance of Mirza Gaffer Baig, Sale Inspector/Sale Officer, office of the Dy.Register/OSD, District Co-operative Central Bank, Nizambad District for pecuniary gain built up the record as if the public auction was conducted at Adloor Grampanchayath on 09.09.2006 and further issued sale certificate in favour of Nenavath Mojiram to the extent of 2 acres and Malawat Desmi to the extent of ac. 1.32 guntas of land in Sy.No.454 of Adloor village as the highest bidders in the pseudo public auction dated.09.09.2006. Subsequently addressed letters to the RDO, Kamareddy, Tahasildar of Mandal Revenue Officer, Kamareddy vide letter No.EP.No.398/LT/05-06, dt. 19.4.2007 and Sub-Registrar of Kamareddy assurance vide Lr.No. EP.No.398/LT/05-06 dt.14.3.2007 for making necessary entries in their office records concerned.

10. And whereas Sri T.Venkat Reddy, Dy.Registar/OSD, District Co-operative Central Bank, Nizamabad District earlier to issue of sale certificate in favour of Nanavath Mojiram and Malawath Desami issued an order in the said subject matter vide E.P.No.398/LT/05-06 dt.13.10.2006 for release of lands of guarantors of said tractor loan availed by Mr.Amarsingh. In the said order it was stated that on 08.09.2006 an amount of Rs.20,000/- was paid and got stopped the public auction proposed to be conducted on 09.09.2006 and the remaining tractor loan amount of Rs.4,69,010-00 which was due by Mr.M.Amarsingh was repaid within 13.10.2006. Further, M.Amarsingh, tractor loan defaulter (original land owner) requested to retain Ac.3.32 guntas of said land in Sy.No. 454 of Adloor village (which was kept under mortgage for tractor loan) towards the mortgage of other loan amounts due by him at Honnojipet Primary Agricultural Co-operative Society. Further, in the said order it was mentioned that the guarantors Bhukya Chandru and Bhukya Ravinder requested him to release their lands which were kept towards surety for the tractor loan availed by Mr M.Amarsingh on being paid the tractor loan amount.

11. And whereas Sri T.Venkat Reddy even after repayment of the tractor loan amount by Sri Amar Singh at Honnojipet Primary Agricultural Cooperative Society, he prepared the bogus document with the assistance of Mirza Gaffar Baig and others as if public auction was conducted on 09.09.2006 at Adloor Grampanchayat with regard to land in Sy.No.454 of Adloor village to the extent of 3.32 guntas and issued the sale certificate in favour of Nenavthi Mojiram to the extent of 2.00 acres and Smt.Malavath Desami to the extent of 1.32 guntas located in the above said Sy.No.to accrue the ownership rights over the said lands.

12. And whereas the above said acts of Sri T.Venkat Reddy, Dy.Register/OSD, District Co-operative Central Bank, Nizamabad District constitute an offence punishable under sections 7 and section 13 (2) read with clause (d) of sub section (1) of Section 13 of Prevention of Corruption Act, 1988 (Central Act, 49 of 1988).

13. And whereas the Government of Andhra Pradesh being the competent authority to remove the said Sri T.Venkat Reddy, Dy.Register/OSD, District Co-operative Central Bank, Nizamabad District from Government service after fully and carefully examining the material placed before them in respect of the said allegation and having regard to the facts and circumstances of the case, consider that the said Sri T.Venkat Reddy, Dy.Registrar/OSD, District Co-operative Central Bank, Nizamabad District should be prosecuted in a court of law for he aforesaid offence.

14. Now, therefore, in exercise of the powers conferred by clause (b) of sub section (1) of section 19 of the Prevention of Corruption Act, 1988 (central Act. 49 of 1988) and section 197 of the Code of Criminal Procedure, 1974, the

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Government of Andhra Pradesh hereby accord sanction for the prosecution of the said Sri T.Venkat Reddy, Dy.Registrar/OSD, District Co-operative Central Bank, Nizamabad District for the aforesaid offence punishable under section 7 and section 13 (2) read with clause (d) of sub section (1) of section 13 of the Prevention of Corruption Act, 1988 (Central Act 49 of 1988) and 120-B and 420 IPC and for any other cognate offence punishable under any provisions of law for the time being in force in respect of the aforesaid acts and for taking cognizance of the said offences by a court of competent jurisdiction.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

(PANKAJ DIWEDI)
PRINCIPAL SECRETARY TO GOVERNMENT

To
The Director General,
Anti Corruption Bureau, Hyderabad
SF/SC.

//FORWARDED BY ORDER//

SECTION OFFICER